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IT IS SO ORDERED.

Dated: April 8, 2016



Charles M. Caldwell
Charles M. Caldwell
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In re: : Case No. 12-58392
: Chapter 13 (Judge Caldwell)
GEILANI S. HUSSEIN :
:

Geilani S. Hussein :
: Plaintiff, :
: vs. : Adv. Pro. No. 16-ap-02019
: Bank of America Home Loans :
: and :
: State of Ohio Department of Taxation :
: Defendants. :

**AGREED ORDER GRANTING THE PLAINTIFF'S COMPLAINT AS TO
LIENS OF STATE OF OHIO DEPARTMENT OF TAXATION (DOC. NO. 1)**

This matter came before the Court upon Plaintiff's Complaint (Doc. 1). Plaintiff and Defendant State of Ohio Department of Taxation ("DOT") having reached an agreement as to all issues raised in the Complaint, it is hereby **ORDERED** that:

1. There exists insufficient equity in the subject real estate located at 987 Tenbrook Place, Columbus, OH 43228 to deem secured the tax liens of DOT filed on April 20, 2012 and September 4, 2012 with the Franklin County Clerk of Courts as Case No. 12 JG 014118 and 12 JG 033681 (the "Tax Liens"). Therefore, pursuant to the provisions of 11 U.S.C. § 506(a) and (d), the Tax Liens are unsecured and avoided.

2. The releasing of the Tax Liens will not occur until the Chapter 13 Bankruptcy is discharged after all plan payments have been made. The Tax Liens will not be released upon a hardship discharge or a conversion of the case to one under Chapter 7.

3. In the event that any entity, including the holder of the first lien on the subject property, forecloses on its security interest and extinguishes DOT's Tax Liens prior to the Debtor's completion of the Chapter 13 Plan and receipt of a Chapter 13 discharge, DOT's Tax Liens shall attach to the surplus proceeds of the foreclosure sale for the full amount of the Tax Liens balances at the time of the sale.

4. DOT shall file a proof of claim for the amount owed under the Tax Liens within the time permitted for filing claims by a governmental entity, and such claim shall be paid pursuant to the provisions of the confirmed Chapter 13 plan.

5. In the event DOT fails to timely release the Tax Liens upon the issuance of a Discharge, not including a hardship discharge in the Chapter 13 case or a conversion to one under Chapter 7, Debtor may cause a certified copy of this Order to be filed with the Franklin County Common Pleas Court which filing shall constitute a complete and full release of the Tax Liens therein recorded.

IT IS SO ORDERED.

APPROVED & SUBMITTED BY:

/s/ John F. Cannizzaro

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cc: Default list and Brian M. Gianangeli

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